

REMARKS

Applicant respectfully requests reconsideration in view of the above amendments and following remarks. Claim 9 is amended to replace the term “obtainable by” with the term “obtained.” No new matter has been added.

Applicant thanks the Examiner for allowing claims 1-7 and 11-13.

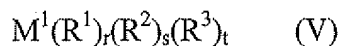
Claims 9 and 10 are objected to under 38 C.F.R. § 1.75(c) as being in improper dependent form for failing to further limit the subject matter of a previous claim. Specifically, the Examiner alleges that claim 9 can be infringed without infringing claim 1 by virtue of use of the claim term “obtainable.” Applicant has amended the term “obtainable” in claim 9 to the term “obtained.” Applicant believes this amendment obviates the Examiner’s objection as to both claims 9 and 10. Therefore, Applicant respectfully requests withdrawal of this objections.

Claims 9 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 99/43717 to Bohnen et al. (“Bohnen”). Applicant respectfully traverses.

Again, claim 9 is amended to replace the term “obtainable” with the term “obtained.” Claim 9 is directed to a catalyst obtained by a process as claimed in claim 1. Claim 10 is directed to a process for the polymerization olefins which comprises polymerizing olefin monomers in the presence of the catalyst as claimed in claim 9. In turn, claim 1, which the Examiner deems allowable, is directed to process for preparing a catalyst for olefin polymerization comprising the steps of bringing:

(A) at least one organic transition metal compound,

(B) a mixture of at least two different organo metallic compounds of formula (V),



where

M^1 is an alkali metal, an alkaline earth metal or a metal of group 13 of the Periodic Table,

R^1 is hydrogen, C_1 - C_{10} -alkyl, C_6 - C_{15} -aryl, halo- C_1 - C_{10} -alkyl, halo- C_6 - C_{15} -aryl, C_7 - C_{40} -arylalkyl, C_7 - C_{40} -alkylaryl, C_1 - C_{10} -alkoxy- θ , halo- C_7 - C_{40} -alkylaryl, halo- C_7 - C_{40} -arylalkyl or halo- C_1 - C_{10} -alkoxy,

R^2 and R^3 are each hydrogen, C_1 - C_{10} -alkyl, C_6 - C_{15} -aryl, halo- C_1 - C_{10} -alkyl, halo- C_6 - C_{15} -aryl, C_7 - C_{40} -arylalkyl, C_7 - C_{40} -alkylaryl, C_1 - C_{10} -alkoxy- θ , halo- C_7 - C_{40} -alkylaryl, halo- C_7 - C_{40} -arylalkyl or halo- C_1 - C_{10} -alkoxy,

r is an integer from 1 to 3

and

s and t are integers from 0 to 2, where the sum $r+s+t$ corresponds to the valence of M^1 ,

and

(C) at least one cation-forming compound

into contact with one another, wherein the organic transition metal compound A) is firstly combined with the mixture of the organo metallic compounds B). In view of the above amendment and by virtue of claims 9 and 10 depending from claim 1, which is deemed allowable, Applicant believes that the catalyst of claim 9 and the process of claim 10 are neither disclosed nor taught by Bohnen. Therefore, Applicant respectfully requests withdrawal of this anticipation rejection.

In view of the above amendment and remarks, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 09086-00218-US from which the undersigned is authorized to draw.

Dated: April 9, 2007

Respectfully submitted,

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